

ZB# 01-02-A

**T&M / Ditch Witch of
New England**

4-3-19.2

Prelim.

January 29, 2001

Public Hearing:

March 12, 2001

Granted -

Sign variance

Refund: \$398.50.

#01-02A T & M LLC / Ditch Witch of
New England
Sign - 4-3-19.2

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT:

FILE# 01-02A

TQM LLC / Ditch Witch
New England, Inc.

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X Sign

USE

APPLICATION FOR VARIANCE FEE \$ 150.00

paid 2/26/01
ck. 1143

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

paid 2/26/01
ck# 1144

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 1/29/01 - 4 \$ 18.00
2ND PRELIMINARY- PER PAGE 3/12/01 - 3 \$ 13.50
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 31.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 1/29/01 \$ 35.00
2ND PRELIM. 3/12/01 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 101.50

LESS ESCROW DEPOSIT \$ 500.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 398.50

Date MARCH 13, 2001

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Ditch Witch of New England DR.
249 Hartford Tpk.
Shrewsbury, MA 01545.

[illegible]

DITCH WITCH OF NEW ENGLAND

249 HARTFORD TURNPIKE
SHREWSBURY, MA 01545

1143

DATE 2-9-01

5-39
110 706

PAY
TO THE
ORDER OF

*New
Taxes of Windsor*

\$ 150.⁰⁰/₁₀₀

One Hundred Fifty Dollars

DOLLARS 

 **BankBoston.**

BankBoston, N.A. - Boston, Massachusetts

FOR

Invoice applic. fee #01-02-26A

Wm Hyslop

⑈001143⑈ ⑆011000390⑆ 276 29428⑈

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#150-2001

02/26/2001

Ditch Witch Of New England #01-02R-89

Received \$ 150.00 for Zoning Board Fees, on 02/26/2001. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

1144

DITCH WITCH OF NEW ENGLAND

249 HARTFORD TURNPIKE
SHREWSBURY, MA 01545

DATE 2-9-01

5-39
110 706

PAY
TO THE
ORDER OF

Town of New Milford
Fire Department Dallas

\$ 500. ⁰⁰/₁₀₀

DOLLARS 



BankBoston, N.A. - Boston, Massachusetts

FOR #01-02A ZFA

Wm Hagen II

⑈001144⑈ ⑆011000390⑆ 276 29428⑈

-----X
In the Matter of the Application of
T&M LLC/DITCH WITCH OF NEW ENGLAND

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#01-02A.
-----X

WHEREAS, T&M LLC, 210 Wembly Road, New Windsor, N. Y. 12553, owner, and **DITCH WITCH OF NEW ENGLAND**, 249 Hartford Pike, Rt. 20, Shrewsbury, MA 01545, Lessee, have made application before the Zoning Board of Appeals for a 48 sq. ft. sign area variance for a freestanding sign at the Wembly Road address in a PI zone; and

WHEREAS, a public hearing was held on the 12th day of March, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by Julius C. Cappola of ReMax Benchmark Realty Group; and

WHEREAS, there no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) This is a commercial property located in a commercial neighborhood. The property is located within the Free Trade Zone in a commercial development.

(b) The property is not visible from the main state highway and fronts on a secondary road within the development.

(c) The Applicant seeks to erect one freestanding sign, which is consistent with the other commercial signs in the neighborhood.

(d) The proposed sign will be lit with steady-interior illumination. The sign will contain no neon and will not be flashing.

(e) The sign will comply with the Town Code with respect to height and it is only the square footage of the sign for which a variance is sought.

(f) The sign will be located so that it will not interfere with any traffic on the adjacent road nor with the sight lines or visibility of motorists.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 48 sq. ft. sign variance for a freestanding sign at the 210 Wembly Road location, in a PI zone as sought by the Applicants in accordance with plans filed with the Building Inspector

and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 23, 2001.


Chairman

PUBLIC HEARINGS:

T & M LLC/DITCH WITCH

MR. NUGENT: Anyone here for T & T Ditch Witch? Anybody here besides, in the audience, besides the applicant? Let the record show there's no one in the audience. Request for 48 sq. ft. freestanding signage at location 210 Wembly Road in a PI zone.

Mr. Jay Coppola appeared before the board for this proposal.

MR. COPPOLA: Jay Coppola representing T & M and Ditch Witch requesting the variance for the additional square footage of signs, just a couple of comments with regards to that, the signage is consistent, it's in an industrial park, we're not asking for anything different than what's already established there. The signage itself and the reason for the request for the square footage is the sign is a logo of Ditch Witch and they have dictated to the Ditch Witch people certain sizes that they want for the signs on streets so that is one of the main reasons why the request for this square footage. Other than that, there would be no reason for it. The sign sets back from Temple Hill Road, which is a main road about plus or minus 600 feet. The fact that it's back there lends itself at least to the Ditch Witch people as a reason for it to be kept at the standards of the, for the logo of Ditch Witch. Secondly, with regards to impact, the sign will be only the second sign on Wembly Road for approximately 1,500 feet. There's only Mt. Ellis Paper and Ditch Witch and there's no other signs there, there's no other buildings there and they occupy all that frontage cause Mt. Ellis swings around the curve there. There's no other signs so it's not--

MR. NUGENT: They have a sign?

MR. COPPOLA: They have a sign, yeah, this would be only the second sign and then Scenic Technologies is up by Temple Hill Road.

MR. REIS: Is this sign a lit sign?

MR. COPPOLA: It's a lighted sign.

MR. REIS: Interior lit?

MR. COPPOLA: Yes.

MR. KRIEGER: Steady illumination, right?

MR. COPPOLA: Yes.

MR. KRIEGER: Fluorescent, not neon?

MR. COPPOLA: Fluorescent.

MR. TORLEY: Smallest size sign that the corporation, this is the smallest size sign that the corporation has?

MR. COPPOLA: For pylon sign, yes.

MR. TORLEY: I see, from the preliminary, I see the signs no longer have any sign height request?

MR. COPPOLA: That's right, we have no reason to go near the 15 foot.

MR. NUGENT: Okay.

MS. CORSETTI: For the record, we did send out 12 notices to adjacent property owners that was on the list. Those notices went out on February 27.

MR. REIS: No responses?

MS. CORSETTI: No.

MR. NUGENT: Nothing.

MR. KRIEGER: One sided or two-sided sign?

MR. COPPOLA: Two-sided sign, correct.

MR. KRIEGER: Will there be any sign on the building?

March 12, 2001

9

MR. COPPOLA: Yes, within the zoning.

MR. TORLEY: And this sign would not interfere with any sight lines of traffic on the road?

MR. COPPOLA: No, no, we're on the, we're not on the outside curve, we're more on the inside curve of the road.

MR. KRIEGER: And this is an industrial road that's off the main traveled highway?

MR. COPPOLA: That's correct.

MR. REIS: Accept a motion?

MR. NUGENT: Yes.

MR. REIS: Make a motion that we pass the T & M LLC Ditch Witch request for their freestanding sign at 210 Wembly Road.

MR. TORLEY: Second it.

ROLL CALL

MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

3/2/01

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

10-1-1965

DATE		CLAIMED	ALLOWED
12/01	Zoning Board Mtg	75	00
	Misc - 2		
	Musm - 2		
	Alley - 3		
	Team Ditch witch - 3 13.50		
	Petchu - 12	99	00
	- 22		
		174	00

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 02A

Request of T & M LLC / Ditch Witch of New England

for a VARIANCE of the Zoning Local Law to Permit:

freestanding sign w/ more than the allowable
sign area;

being a VARIANCE of Section 48-18 - Supplemental Sign Regs.

for property situated as follows:

210 Wembly Road, New Windsor, N.Y. 12553

known and designated as tax map Section 4, Blk. 3 Lot 19.2

PUBLIC HEARING will take place on the 12th day of March, 2000 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 1/17/01

APPLICANT: ~~Thomas Aircraft Supplies~~
249 Hartford Pike Rt. 20
Shrewsbury, MA 01545

Owner: T & M LLC / Ditch Witch of
New England.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 1/17/01

FOR : Thomas Aircraft Supplies, Freestanding signs

LOCATED AT: 210 Wembly Rd. New Windsor 12553

ZONE: PI Sec/ Blk/ Lot: 4-3-19.2

DESCRIPTION OF EXISTING SITE: New commercial building

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18 H1(a) Freestanding signs

1. Proposed freestanding sign exceeds 64sqft, total of all faces and 15ft maximum height.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: PI USE:

SIGN:

FREESTANDING: 1 Freestanding sign

HEIGHT: 15ft above ground

~~- 15'~~
unknown

~~above 15ft~~

WIDTH:

WALL SIGNS:

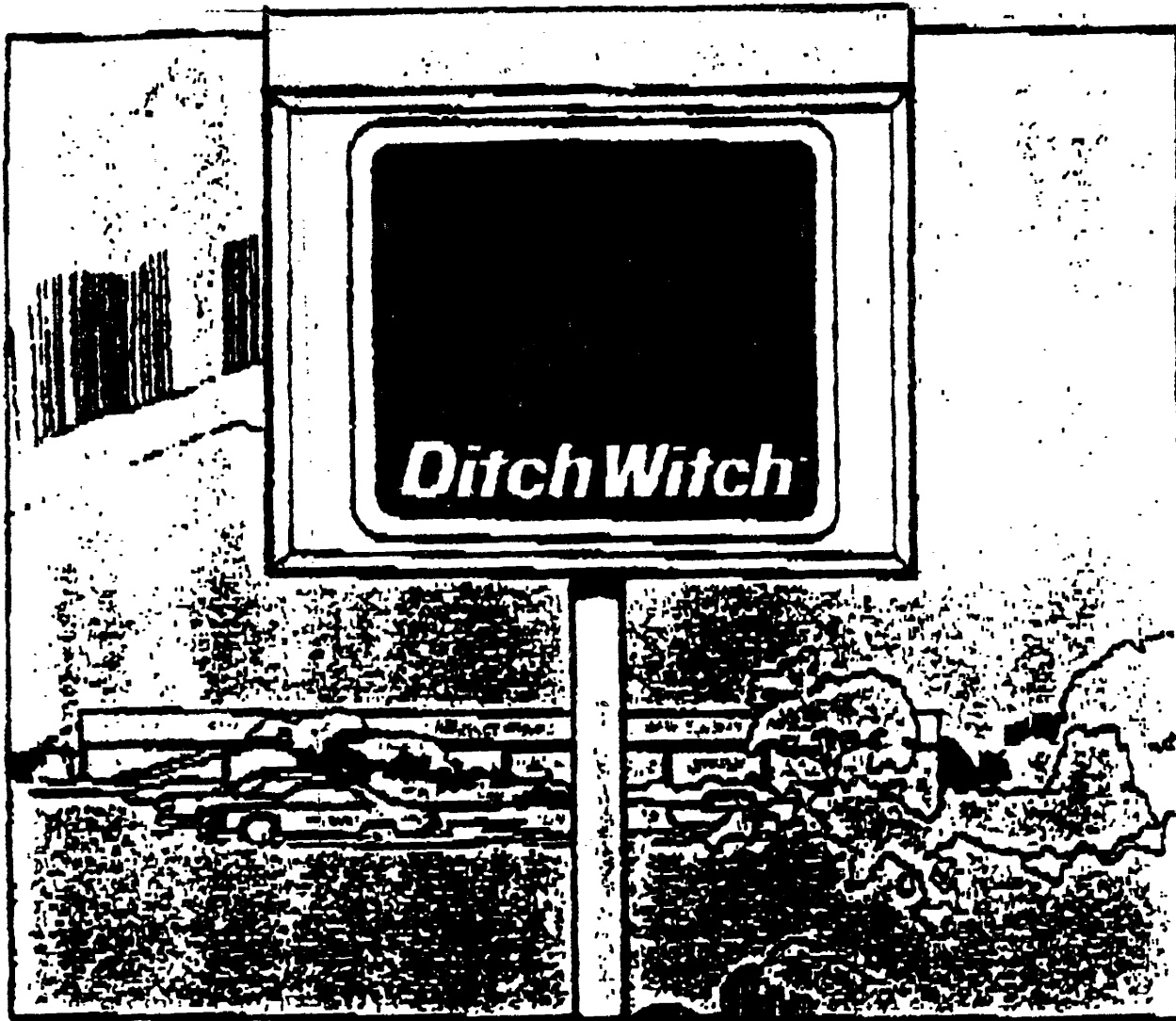
TOTAL ALL FACES: 64sqft

~~112~~
96sqft

~~48~~
32sqft

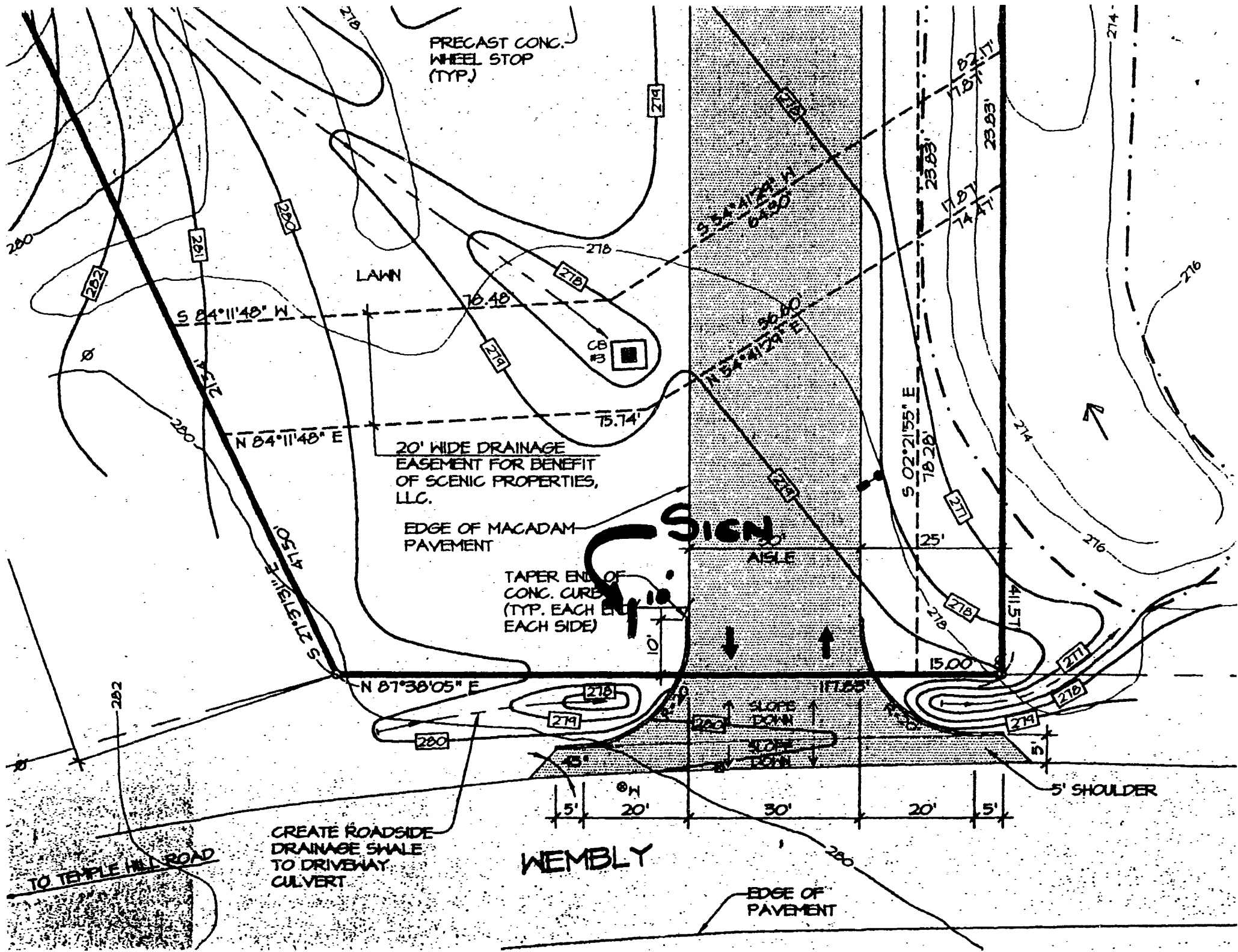
FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP



STYLE F: Double-face, center pole mount, Ditch Witch symbol lighted sign (7' x 8' size). It is designed to be mounted on standard line pipe mast. Sign is completely wired and with bulbs. Hardware for installation to mast is provided. Mast is not included.

(7' x 8' size)



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-02A

Date: 2/20/01

I. ☒ Applicant Information:

- (a) TEM LLC
(Name, address and phone of Applicant) (Owner)
- (b) 210 WENOLY RD.
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☐ Area Variance ☐ Interpretation

III. ☒ Property Information:

- (a) P1 210 WENOLY RD. 4-3-19.1 2.03A
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NA
- (c) Is a pending sale or lease subject to ZBA approval of this application? NA
- (d) When was property purchased by present owner? 2000
- (e) Has property been subdivided previously? -
- (f) Has property been subject of variance previously? -
If so, when? -
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance. ☒

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____
- _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes____ No____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: NA

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

(b) NA In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(You may attach additional paperwork if more space is needed)

✓ VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section 48-18, Supp. Sign Regs.

	<u>H1(a)</u> <u>Requirements</u>	<u>Proposed or</u> <u>Available</u>	<u>Variance</u> <u>Request</u>
Sign 1	<u>64 sq</u>	<u>112 sq</u>	<u>48 sq</u>
Sign ..			
Sign 3			
Sign			

- ✓ (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

FREE STANDING SIGN REQUEST IS A NATIONAL
STANDARD FOR THE DITCH WITCH Co.
THE LOCATION OF THE SIGN IS ± 600' FROM
RT 300 (TEMPLE HILL RD)

- ✓ (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

162 sq

VII. Interpretation. N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

AFFIDAVIT OF
SERVICE
BY MAIL

T9M LLC / Ditch Witch of New Eng.

01-02A

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 27th day of February, 2001, I compared the 12
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

February 22, 2001

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Jay Cappola
100 Commerce Drive
New Windsor, NY 12553

Re: 4-3-19.1 T&M LLC

Dear Mr. Cappola:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Corsetti, ZBA

4-3-7
HZ Development Partners
Gateway International Park
207 Wembly Road
New Windsor, NY 12553

✓

4-3-18
HZ Development Partner
65 Wembly Road
New Windsor, NY 12553

X

4-3-8
Warren Sloan Jr.
P.O. Box 4545
New Windsor, NY 12553

✓

4-3-19.2
H-Z Development Partners
128 Wembly Road
New Windsor, NY 12553

X

4-3-9.1
Duggan & Crotty Temple Hill Co.
563 Temple Hill Road
New Windsor, NY 12553

✓

4-3-10.12
Scenic Properties LLC
335 Temple Hill Road
New Windsor, NY 12553

X

4-3-10.21
Coca-Cola Bottling Co. of New York Inc.
C/o Coca Cola Enterprises
Property Tax Department
PO Box 723040
Atlanta, Georgia 31139-0040

✓

4-3-10.4
Anthony Granuzzo
DBA Gamma Realty
Lincoln Road
Putnam Valley, NY 10579

X

4-3-15
Senlar Associates
P.O. Box 1104
Newburgh, NY 12550

X

4-3-17.12
Norris H. Coleman
Nine Beach Park
N23 W28190
Pewaukee, WI 53072-5130

X

4-3-17.2
CHKK Realty Company
Gateway International Park
P.O. Box 4083 Wembly Road
New Windsor, NY 12553

X

4-3-17.4
William Helmer
Grey Beech Lane
Pomona, NY 10970

X

142	50
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HZ DEVELOPMENT/THOMAS AIRCRAFT

Mr. Jay Cappola appeared before the board for this proposal.

MR. NUGENT: Request for 15 ft. height and 32 sq. ft. total all sign faces for a freestanding sign at 210 Wembly Road in a PI zone.

MR. CAPPOLA: Jay Cappola, I'm representing actually Ditch Witch, who's a tenant in the Thomas Aircraft Supply building on Wembly Road and I made some extra copies cause it's a little different than what you may have.

MR. NUGENT: We don't have anything.

MR. CAPPOLA: Was originally submitted was a sign that the reason we're in front of the board, we do understand the square foot requirement but this is a national company and that's their logo and that's the size sign that they use. I understand the zoning and the, maybe the board's position on it, but the other factor that when they asked me if we should even ask for a variance is the distance from Temple Hill Road into the site on Wembly Road and they had a concern of being visual from Temple Hill Road and really those are the only two reasons that were in front of the board, one being the logo and the size of the sign is that which is the smallest they have on a pylon sign. What was in the original submittal was above 15 feet. We have no need to even approach 15 feet, that's not an issue, we'll stay below the 15 feet and that, what you see sketched in on the top, just so everyone is aware and we're straightforward here, the owner of the building, who's Thomas Aircraft Supply, is granting them permission to put up a sign, but it's his building and he asked for a one foot placard above their sign so that he would have some acknowledgement that he put up all the money to build the building.

MR. BABCOCK: How far from Temple Hill Road, do you have a guess how far it is?

MR. CAPPOLA: Did I give you this, oh, how far from Temple Hill, Mike, I would say it's 600 feet.

MR. MCDONALD: I worked there, I laid 580 feet of hose there from the hydrant on the corner.

MR. BABCOCK: The building's behind the ACTS, I mean, you can see it if you happen to look for it, if you're looking for it coming down the road, but other than that, it's kind of hidden.

MR. REIS: Where is it in relation to Mount Ellis?

MR. BABCOCK: In between Mount Ellis and the other.

MR. CAPPOLA: It's the easement ditch that's become famous here and the property then Scenic Technology and on the site plan, I tried to indicate that we'd be behind the property line and to the side of the curb and entry road by ten feet.

MR. REIS: Accept a motion?

MR. KANE: Yeah, I do have a question on the sign height, the total height with pole and everything is going to be 15 foot?

MR. CAPPOLA: Below 15 foot total.

MR. REIS: You'll be able to get the exposure because you're lower than Temple Hill there?

MR. CAPPOLA: We know that, Mike, but we don't want to stretch our request.

MR. TORLEY: On the ten foot distances, those are measured from the edge of the sign, not the pole, right?

MR. CAPPOLA: To answer you, normally, I would, if you were to ask me, I would indicate that it would be center line of the sign, center line of the pole.

MR. TORLEY: Mike, so you don't have to come back again, doesn't our code, I thought it didn't matter

what the pole was, it was the edge of the sign for the distance.

MR. CAPPOLA: We have no criteria for placing it so you can tell us.

MR. BABCOCK: I'm not sure I understand.

MR. TORLEY: Sign like this he's putting it ten foot from the road, ten foot from the pole, ten foot from the edge of the sign, right?

MR. BABCOCK: No, there's no requirement, it can go anywhere on your property, as long as it doesn't overhang the sidewalk or road or whatever, there's no setback requirement.

MR. CAPPOLA: And the sign, I understand you fully now, the sign is eight foot, so if, and again, we can place it anywhere, but even if we were indicating 10 foot, 4 foot, you're still 6 foot back from the property line.

MR. KANE: Accept a motion?

MR. NUGENT: Yes.

MR. KANE: I move we set up HZ Development, Thomas Aircraft for public hearing on their requested variances.

MR. REIS: Second it.

ROLL CALL

MR. KANE	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE
MR. REIS	AYE
MR. NUGENT	AYE

MR. NUGENT: This is public hearing information.

MR. KRIEGER: Those are the criteria on which the zoning board must decide, so if you would address yourself to those at the public hearing, that would be

January 29, 2001

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helpful.

MR. CAPPOLA: Thank you very much.